

#### **FACT SHEET—Elections 2012**

### **Information for Write-In Candidates in Partisan Elections**

General Statute 163-123 applies to write-in candidates in partisan elections. There is no need to follow GS 163-123 and comply with the requirements set out below as to non-judgeship nonpartisan elections held in 2012.

There are no write-in candidates allowed in partisan party primaries or judgeship elections. Write-in candidates are allowed only in general elections.

Petitions requests, declaration of intent and petition forms for write-in candidates can be obtained at <a href="http://www.sboe.state.nc.us/content.aspx?id=66">http://www.sboe.state.nc.us/content.aspx?id=66</a>

# How can an individual become a write-in candidate in a statewide race such as Governor, Council of State, or U.S. Senate?

An individual seeking to become a write-in candidate in a statewide election on November 6, 2012 must file with the SBE a declaration of intent (containing the following: name, residential address, declaration of intent, office sought, date of election, date of declaration, signature), a petition request and petitions containing the verified signatures of 500 qualified voters of the State by noon on the 90th day before the general election - **Wednesday, August 8, 2012**. Verification of signatures is performed by the county board of elections and shall be completed within two weeks from the date the petitions are presented to the county board. Only submit names of voters in a particular county to that county board of elections for verification. After verification, the petitions are returned by the county board to the candidate to be filed with the SBE before the **August 8, 2012** deadline. If the write-in candidate has complied with GS 163-123 and has timely submitted the required number of verified names, the candidate will be certified as a write-in candidate by the SBE. This means that votes cast in the general election for the certified write-in candidate will be counted in favor of that candidate's election.

#### How can an individual become a write-in candidate in a 2012 US House race?

An individual seeking to become a write-in candidate in a US House election on November 6, 2012 must file with the SBE a declaration of intent (containing the following: name, residential address, declaration of intent, office sought, date of election, date of declaration, signature), a petition request and petitions containing the verified signatures of 250 qualified voters of the Congressional District they are running from by noon on the 90th day before the general election **August 8, 2012**. Verification of signatures is performed by the county board of elections and shall be completed within two weeks from the date the petitions are presented to the county board. Only submit names of voters in a particular county to that county board of elections for verification. After verification, the petitions are returned by the county board to the candidate to be filed with the SBE before the **August 8, 2012** deadline. If the write-in candidate has complied with GS 163-123 and has timely submitted the required number of verified names, the candidate will be certified as a write-in candidate by the SBE. This means that votes cast in the general election for the certified write-in candidate will be counted in favor of that candidate's election.

#### How can an individual become a write-in candidate for NC Senate or NC House?

If the office is in a legislative district office comprising all or part of two or more counties. An individual seeking to become a write-in candidate in such a NC Senate or NC House District election on November 6, 2012 must file with the SBE a declaration of intent (containing the following: name, residential address, declaration of intent, office sought, date of election, date of declaration, signature), a petition request and petitions containing the verified signatures of 250 qualified voters of the NC Senate or NC House District they are running from by noon on the 90th day before the general election - August 8, 2012. Verification of signatures is performed by the county board of elections and shall be completed within two weeks from the date the petitions are presented to the county board. Only submit names of voters in a particular county to that county board of elections for verification. After verification, the petitions are returned by the county board to the candidate to be filed with the SBE before the August 8, 2012 deadline. If the write-in candidate has complied with GS 163-123 and has timely submitted the required number of verified names, the candidate will be certified as a write-in candidate by the SBE. This means that votes cast in the general election for the certified write-in candidate will be counted in favor of that candidate's election.

If the office is a single county legislative district or comprised of less than the entire county. An individual seeking to become a write-in candidate in a single county or less legislative district must file, with the appropriate county board of elections by noon on the 90th day before the general election, Wednesday, August 8, 2012, a petition signed by 100 qualified voters within the district or by 1% of the registered voters if there are less than 5,000 persons eligible to vote for the office. Verification by the county board of elections shall be completed within two weeks from the date the petitions are presented. If the write-in candidate has complied with GS 163-123 and has timely submitted the required number of verified names, the candidate will be certified as a write-in candidate by the county board. This means that votes cast in the general election for the certified write-in candidate will be counted in favor of that candidate's election.

## <u>How can an individual, authorized to practice law in the Courts of North Carolina, become</u> a write-in candidate for District Attorney?

An individual seeking to become a write-in candidate in a Prosecutorial District on November 6, 2012 must file with the SBE a declaration of intent (containing the following: name, residential address, declaration of intent, office sought, date of election, date of declaration, signature), a petition request and petitions containing the verified signatures of 250 qualified voters of the Prosecutorial District they are running from by noon on the 90th day before the general election - Wednesday, August 8, 2012. Verification of signatures is performed by the county board of elections and shall be completed within two weeks from the date the petitions are presented to the county board. Only submit names of voters in a particular county to that county board of elections for verification. After verification, the petitions are returned by the county board to the candidate to be filed with the SBE before the August 8, 2012 deadline. If the write-in candidate has complied with GS 163-123 and has timely submitted the required number of verified names, the candidate will be certified as a write-in candidate by the SBE. This means that votes cast in the general election for the certified write-in candidate will be counted in favor of that candidate's election.

#### How can an individual become a write-in candidate for partisan county office?

An individual seeking to become a write-in candidate in a partisan elected county office must file, with the appropriate county board of elections by noon on the 90th day before the general election, **Wednesday**, **August 8**, **2012**, a petition signed by 100 qualified voters within the county or by 1% of the registered voters if there are less than 5,000 persons eligible to vote for the office. Verification by the county board of elections shall be completed within two weeks from the date the petitions are presented. If the write-in candidate has complied with GS 163-123 and has timely submitted the required number of verified names, the candidate will be certified as a write-in candidate by the county board. This means that votes cast in the general election for the certified write-in candidate will be counted in favor of that candidate's election.

#### Are there other filings required of certain write-in candidates?

North Carolina General Statute § 138A-22(d), as part of the State Government Ethics Act requires that certain "covered persons" file a statement of economic interest at the time they file for office. Currently, Legislative write-in candidates, write-in candidates for District Attorney, and write-in candidates for Clerks of Court would be considered such "covered persons". As to who is "covered" please see GS §138A-11 and refer to the State Ethics Commission. You may obtain copies of this candidate statement of economic interest form from the State Ethics Commission or a board of elections.